

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:22-cv-00470

**Fred A. Dixon, Jr.,**  
*Plaintiff,*

v.

**Chow Hall Boss et al.,**  
*Defendants.*

**ORDER**

Plaintiff Fred A. Dixon, a prisoner confined within the Texas prison system proceeding *pro se*, filed this lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love.

On December 28, 2022, the magistrate judge issued a report recommending that plaintiff be denied *in forma pauperis* status and that his lawsuit be dismissed with prejudice as to the refiling of another *in forma pauperis* lawsuit raising the same claims as presented in this action but without prejudice to the refiling of this lawsuit upon the satisfaction of three conditions. Doc. 3. The magistrate judge determined that plaintiff accumulated at least three strikes under the Prison Litigation Reform Act (PLRA) and recommended that this court honor sanctions imposed by the Northern District of Texas sanctioning plaintiff for his abusive litigation history. Doc. 3 at 3. The magistrate judge further found that plaintiff failed to show that he is in imminent danger.

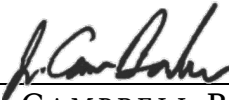
A copy of this report was sent to plaintiff at his last known address. The docket reflects that plaintiff received a copy of the report on January 5, 2023. Doc. 4. To date, however, plaintiff has not filed objections.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's

report and being satisfied that it contains no clear error, the court accepts its findings and recommendation.

Plaintiff's lawsuit is dismissed with prejudice as to the refiling of another *in forma pauperis* lawsuit raising the same claims as presented in this action but without prejudice to the refiling of this lawsuit upon the satisfaction of three conditions outlined in the magistrate judge's report. All motions pending in this civil action are denied.

*So ordered by the court on February 7, 2023.*

  
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J. CAMPBELL BARKER  
United States District Judge